IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.2815 OF 2007

IN

FIRST APPEAL NO.1053 OF 2001

M/s.Vaidya and company & ors. : Applicants.

versus

The Municipal Corporation of
the City of Thane & ors. : Respondents.

Mr.C.P.Deogirikar for the applicants.
Mr.R.S.Apte for Respondent Nos.1 and 3.

CORAM : J.N.PATEL &

A.A.SAYED, JJ.

DATED : OCTOBER 15, 2007.

P.C.

1. Heard. There shall be interim order in terms of prayer clause (a) on the condition that the appellants shall continue to deposit lease amount which they were required to pay during subsisting of the lease under which they were allowed to occupy the piece of plot.

2. The learned counsel appearing for the appellants submits that the appellants are prepared to make a representation to the Respondents/Municipal Corporation of Thane for considering their case in so far as it relates to lease is concerned and the premium required to be paid.

3. Mr.Apte, the learned counsel appearing for the Respondent Nos.1 and 3 submits that if such a representation is made, the Municipal Corporation of Thane would consider the same and this would resolve the controversy. Therefore, We grant leave to the parties to move this Court after the Municipal Corporation takes decision on the representation made by the appellants.

4. The learned counsel appearing for the appellants submits that the appellants shall make the representation within four weeks from today. If such a representation is made, the respondent/municipal corporation of Thane would take decision within eight weeks of the receipt of representation. Civil Application is disposed of.

[A.A.SAYED,J] [J.N.PATEL,J]